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November 29, 2017

Joseph S. Kakesh
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VIA EPA FOIA ONLINE PORTAL

National Freedom of Information Officer
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2822T)
Washington, DC 20460

RE: FOIA Request – FOIA Request Documents for Records Related to
Biological Evaluations for Diazinon, Chlorpyrifos, and Malathion

Dear HQ FOIA Staff:

Pursuant to the Freedom of Information Act ("FOIA"), as amended, 5 U.S.C. Section 552, and the Environmental Protection Agency ("EPA" or Agency") rules issued thereunder, 40 C.F.R. Part 2, I am requesting the following records:

- (1) Any and all records provided by EPA to any person in response to FOIA requests submitted in 2017 to EPA (including but not limited to the June 27, 2017 FOIA request submitted by the Center for Biological Diversity with the FOIA request record EPA-HQ-2017-008866) requesting records relating to draft and/or final biological evaluations of malathion under the Endangered Species Act ("ESA");
- (2) Any and all records provided by EPA to any person in response to FOIA requests submitted in 2017 to EPA (including but not limited to the June 27, 2017 FOIA request submitted by the Center for Biological Diversity with the FOIA request record EPA-HQ-2017-008866) requesting any records relating to draft and/or final biological evaluations of diazinon under the ESA; and
- (3) Any and all records provided by EPA to any person in response to FOIA requests submitted in 2017 to EPA (including but not limited to the June 27, 2017 FOIA request submitted by the Center for Biological Diversity with the FOIA request record EPA-HQ-2017-008866) requesting any records relating to draft and/or final biological evaluations of chlorpyrifos under the ESA.

If for any reason you determine that portions of the requested information are exempt from disclosure under FOIA, please delete the allegedly exempt material, inform me of the basis for the claimed exemption, and furnish me with copies of those portions of the document that you determine not to be exempt. My consent to



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such deletion at this time is designed to facilitate your prompt response and in no way waives my right to appeal any determination that you may make regarding the applicability of any FOIA exemptions to the requested documents and information. If you determine that any complete documents are exempt from disclosure, please identify them and explain the basis for that conclusion.

I request that you provide me with accurate copies of the information requested. I agree to pay reasonable search and reproduction costs. If these costs exceed \$250.00, however, I request that you notify me before reproducing the documents.

Pursuant to FOIA, I understand that EPA will respond with an initial determination regarding this request within 20 working days of your receipt of this letter. Please use the following address for any correspondence or responses:

Joseph S. Kakesh
Wiley Rein LLP
1776 K Street NW
Washington, DC 20006
(202)719-7435
jkakesh@wileyrein.com

If you have any questions about this request or require further information, please email me at jkakesh@wileyrein.com or call me at 202-719-7435. Thank you in advance for your assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Ka", written over the printed name of Joseph S. Kakesh.

Joseph S. Kakesh